



29 JUN 2007

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

FOLEY AND LARDNER LLP  
SUITE 500  
3000 K STREET NW  
WASHINGTON, DC 20007

In re Application of GROUX et al	:	
U.S. Application No.: 10/579,078	:	
PCT Application No.: PCT/IB2004/003882	:	
Int. Filing Date: 05 November 2004	:	
Priority Date Claimed: 12 November 2003	:	DECISION
Attorney Docket No.: 065691-0443	:	
For: USE OF LIPOPEPTIDES FOR	:	
ACTIVATING T LYMPHOCYTES	:	
THROUGH THE SKIN	:	

This is in response to applicant's "Petition Under 37 C.F.R. § 1.47(a)" filed 15 June 2007.

**BACKGROUND**

On 05 November 2004, applicant filed international application PCT/IB2004/003882, which claimed priority of an earlier France application filed 12 November 2003. A copy of the international application was communicated to the USPTO from the International Bureau on 26 May 2005. The thirty-month period for paying the basic national fee in the United States expired on 12 May 2006.

On 11 May 2006, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1) and an executed declaration.

On 16 November 2006, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905), which indicated that the declaration filed 11 May 2006 did not identify the application to which it is directed.

On 15 June 2007, applicant filed the present petition under 37 CFR 1.47(a).

### **DISCUSSION**

A review of the declaration filed 11 May 2006 reveals that it adequately identifies the application to which it is directed.

### **CONCLUSION**

For the reasons above, the petition under 37 CFR 1.47(a) is DISMISSED AS MOOT.

The Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905) mailed 16 November 2006 is hereby VACATED.

The application has an International Filing Date under 35 U.S.C. 363 of 05 November 2004, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 11 May 2006.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

*Bryan Lin*

Bryan Lin  
PCT Legal Examiner  
PCT Legal Office

Telephone: 571-272-3303  
Facsimile: 571-273-0459